

FIFTH ANNUAL AIJA TRIBUNALS CONFERENCE

6-7 June 2002

The Chifley on Flemington, 5-17 Flemington Road, North Melbourne

DEVELOPING A BEST PRACTICE

PROGRAMME

THURSDAY 6 JUNE

12.30 - **Registration; Light Lunch.**

2.00 pm

2.00 pm **WELCOME AND OPENING**

The Hon. Justice Murray Kellam, President of the Australian Institute of Judicial Administration and President of the Victorian Civil and Administrative Tribunal.

2.10 pm **SESSION ONE**

ESTABLISHMENT OF A COUNCIL OF AUSTRALIAN TRIBUNALS (COAT)

Background papers – See also COAT website: <http://www.coat.gov.au/>

The establishment of a Council of Australian Tribunals is intended to facilitate liaison and discussion between heads of tribunals and to develop best practice models of procedural rules, standards of behaviour and conduct for tribunals, as well as training and support for members. (There is to be consideration to extending the Council to New Zealand so as to create a Council of Australasian Tribunals and this matter will be discussed during the Conference)

- Adoption of proposed objects and constitution of Council (as circulated);
- Election of office holders;
- Address by Justice Kellam.

3.15 pm *Afternoon Tea*

3.45 pm **SESSION TWO**

ESTABLISHMENT OF A COUNCIL OF AUSTRALIAN TRIBUNALS (COAT) - continued

There will be general discussion to consider:

1. Priorities in the work of the Council;
2. The culture of the Council;
3. Training and education;
4. Benchmarking and performance standards;
5. Independence and accountability;
6. Information sharing between tribunals.

Convened by Professor Greg Reinhardt, Executive Director, AIJA.

5.00 pm Close

7.30 for **CONFERENCE DINNER**

8.00 pm Kelvin Club, Melbourne Place (off Russell Street, between Bourke & Little Collins Streets), Melbourne.
Dress: Business attire.

Speaker: [The Hon Daryl Williams AM QC MP](#), Commonwealth Attorney-General.

FRIDAY 7 JUNE

9.00 am **SESSION THREE**

THE REVIEW OF DECISIONS OF TRIBUNALS BEFORE THE COURTS - CURRENT STATUS OF JUDICIAL REVIEW

Presenter: [Ms Robin Creyke](#), Reader in Law, Centre for International and Public Law, Australian National University.

Chair: Ms Anne Coghlan, Deputy President, Anti-Discrimination List, Victorian Civil and Administrative Tribunal.

10.00 am **SESSION FOUR**

THE EXPERIENCE OF PROFESSIONAL REGISTRATION BOARDS

Presenter: Dr David List, President, Psychologists Registration Board of Victoria.

Chair: Mr Keith Chapman, President, Guardianship and Administration Board, Western Australia.

The trials and tribulations facing professional Boards are unique within the framework of Australian jurisprudence. Legal, professional, ethical and pragmatic conundrums face Board members in meeting their brief of protecting the public, assisting impaired practitioners, and promoting standards of practice. The continuing development of professional tribunals both requires and enables complex and creative solutions to such entanglements as the oxymoronic informal hearing, the impaired practitioner, and the role of the media.

The work of professional Boards raises issues of general relevance to the work of all tribunals and their members.

10.45 am *Morning Tea.*

11.15 am **SESSION FIVE**

MEDIATION IN THE TRIBUNAL CONTEXT

Presenter: [Ms Wendy Cull](#), Chairperson, Queensland Building Tribunal.

Chair: Dr Gregory Lyons, Senior Member, Victorian Civil and Administrative Tribunal.

12.15 pm *Lunch* - There will be a short video presentation during the lunch break on "Working it out - through mediation" for interested persons.

1.30 pm **SESSION SIX**

SOME THOUGHTS ON CURRENT ISSUES OF NATURAL JUSTICE AND TRIBUNALS

Presenter: [Ms Anne Durray](#), Senior Referee and Director of the Small Claims Tribunals, Subordinate Courts, Singapore.

Chair: Ms Anne Wallace, Deputy Executive Director, AIJA.

2.00 pm **SESSION SEVEN**

THERAPEUTIC JURISPRUDENCE AND TRIBUNAL PROCESSES

Presenter: [Dr Ian Freckelton](#), Barrister, Lawyer Member - Psychologists Registration Board, Victoria.

Chair: Ms Helen Wood, Chairperson, Anti-Discrimination Tribunal, Tasmania.

Dr Freckelton will examine international perspectives upon how tribunal processes can work in a pro-therapeutic way for both parties and witnesses and will discuss principles that can be applied in reducing the possible harm which may result from tribunal procedures, interpretation of the law and delivery of reasons.

2.45 pm *Afternoon Tea*

3.15 pm **SESSION EIGHT**

APPREHENDED BIAS BY REASON OF PRE-JUDGMENT AND OTHER CONDUCT - PITFALLS FOR TRIBUNALS AND TRIBUNAL MEMBERS

Presenter: [Professor Greg Reinhardt](#), Executive Director, AIJA.

Chair: Ms Amanda Watt, Partner, Minter Ellison Lawyers.

4.30 pm *Close.*